

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

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JOHN DOE,

Plaintiff,

v.

WAKE FOREST UNIVERSITY,

Defendant.

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Case No. 1:23-cv-00114

**AFFIDAVIT OF DR. KENNY HERBST**

I, Dr. Kenny Herbst, hereby declare as follows:

1. I am the Associate Dean of the Undergraduate Business Program at Wake Forest University. I have been at Wake Forest since 2007.

2. My responsibilities as Associate Dean of the Undergraduate Business Program include overseeing the academic progress of students. In order to graduate in May 2023, John Doe is required to complete an additional 16.5 credit hours, including certain major-specific required courses.

3. I am aware that as of January 25, 2023, Doe has not been permitted to attend or to participate in classes and coursework at the University.

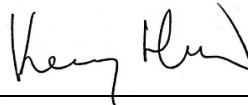
4. I have received information provided by professors of record for undergraduate business classes for which Doe was registered this semester. I have been informed that, even if he resumed his studies this week, Doe will not be able to complete all of his required coursework this semester. Without these credits, Doe would not be eligible to graduate in May 2023.

5. I have no knowledge of the facts that led to Doe's suspension.

6. I have provided this affidavit at the request of the University solely for purposes of providing information about Doe's academic progress toward graduation.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 16th day of February, 2023.

A handwritten signature in black ink, appearing to read "Kenny Herbst", is written over a horizontal line.

Dr. Kenny Herbst,  
Associate Dean, Undergraduate Business Program